



OAK TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

2 Removal 10 Encroachment 17 To Remain 19 Total existing oak trees

Pursuant to Zoning Code Section 22.56.2100, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, if any, on the subject property.

Prior to implementation, all oak genous species trees on site will be staked at the grading limits or impact zone as approved by la county. fencing will be supervised by a horticultural consultant to insure no contruction activity will adversely impact the oak trees.

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

The removal of (2) nursery grown oaks will not result in soil erosion or increased flow of surface waters.

C. That in addition to the above facts, at least one of the following findings must apply:

1. That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
 - a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
2. That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s), or
3. That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practices.

Item C1: Moving the proposed structure to the north, away from the (2) removal oak #13/14 would impact additional trees and would require additional retaining walls which would burden the homeowners association finacially.

see supplimental page attached for references to item c2 and c3;

D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

the intent of the oak tree permit proceedure is not conflicted as the applicant will satisfy mitigation requirements. note: all encraoched and removal trees are nursery grown trees installed by the original developer. the oaks are not of local seed stock and are irrigated.